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*Attorneys for Defendant,*

**ALBERTSONS LLC**

**MATTHEW W. HOFFMANN, ESQ.**

Nevada Bar No. 9061

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Nevada Bar No. 10559

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*Attorneys for Plaintiff,*

**EDDIE LOPEZ**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

EDDIE LOPEZ, an individual,

Plaintiff,

vs.

ALBERTSON'S LLC d/b/a  
ALBERTSONS, a Foreign Limited-  
Liability Company; DOES I through X,  
inclusive; and ROE CORPORATIONS I  
through V, inclusive,

Defendants.

CASE NO.: 2:21-cv-00033-GMN-DJA <sup>1</sup>

**PROPOSED JOINT PRETRIAL  
ORDER**

<sup>1</sup> Counsel are reminded, pursuant to ECF No. 22, this case was reassigned to Judge Cristina D. Silva. All documents must bear the correct case number 2:21-cv-00033-CDS-DJA.

1 Following pretrial proceedings in this case,

2 IT IS ORDERED:

3 **I.**

4 This matter is a civil action in which Plaintiff, EDDIE LOPEZ (hereinafter "Plaintiff"),  
5 alleges a Negligence cause of action against Defendant, ALBERTSON'S, LLC, (hereinafter  
6 "Defendant") as a result of a trip and fall incident allegedly resulting in physical damages and  
7 harm to the body of Plaintiff. Plaintiff alleges that on November 20, 2018, he tripped and fell as  
8 the result of an unsafe condition that existed on the floor of Defendant's premises. Plaintiff alleges  
9 negligence. Defendant contends that its actions were reasonable under the circumstances and that  
10 Defendant was not therefore negligent in this matter. Further, Defendant maintains that the alleged  
11 injury claimed by Plaintiff was not caused by Defendant's alleged negligence, but was preexisting  
12 and/or otherwise unrelated to the alleged slip and fall incident.

13 **II.**

14 Statement of jurisdiction:

15 The United States District Court for the District of Nevada has original jurisdiction  
16 pursuant to 28 U.S.C. § 1332 in that the parties are citizens of different States and the amount in  
17 controversy exceeds the sum or value of \$75,000.00, exclusive of interests and costs.

18 **III.**

19 The following facts are admitted by the parties and require no proof: None.

20 **IV.**

21 The following facts, though not admitted, will not be contested at Trial by evidence to the  
22 contrary: None.

23 **V.**

24 The following are the issues of fact to be tried and determined at Trial:

25 1. Whether the Defendant breached its duty to maintain its property in a reasonable  
26 manner, specifically relating to the status of the "defect/hazard" which Plaintiff claims caused his  
27 incident and alleged injuries.

28 2. Whether Defendant created the "defect/hazard" prior to Plaintiff's incident.

24 The following are the issues of law to be tried and determined upon Trial:

- Page 3 of 14

1 that the alleged “defect/hazard” did in fact cause the Plaintiff to fall as alleged by the Plaintiff.

2 3. Whether there is a legally-sufficient evidentiary basis for a reasonable jury to find  
3 that the incident did in fact cause the injuries Plaintiff alleges he sustained as a result of his alleged  
4 incident.

5 4. Whether there is a legally-sufficient evidentiary basis for a reasonable jury to find  
6 that Plaintiff’s own comparative fault was the cause of Plaintiff’s alleged incident.

7 5. Whether there is a legally-sufficient evidentiary basis for a reasonable jury to find  
8 that Plaintiff was provided with sufficient warning of any hazard alleged to have existed in the  
9 area of Plaintiff’s alleged fall.

10 6. Any issue of fact set forth above which is more properly regarded as an issue of  
11 law.

12 **VII.**<sup>2</sup>

13 (a) The following exhibits are stipulated into evidence in this case and may be so  
14 marked by the clerk: None at this time.

15 (b) The following exhibits may be offered into evidence by the parties, subject to the  
16 objection of any party and the court’s rulings on admissibility (including decisions on any motions  
17 in limine):

18 Plaintiff’s Proposed Exhibits:

19 Plaintiff reserves the right to use any of Defendant’s exhibits identified below.  
20 Accordingly, Plaintiff’s exhibits are as follows:

- 21 1. Complaint (Bates stamped PLF001-PLF004).
- 22 2. Photograph of Floor (Bates stamped PLF005).
- 23 3. Health Care Partners Medical Records and Billing (Bates stamped PLF006-  
24 PLF266).
- 25 4. Fine Back Center Medical Records and Billing (Bates stamped PLF267-PLF297).
- 26 5. Pueblo Medical Imaging Medical Records and Billing ((Bates stamped PLF298-  
27 PLF305).
- 28 6. Unique Care Pharmacy Medical Billing (Bates stamped PLF306).

2 Although this section does not fully comport with Local Rules 16-3 and 16-4, in the interest of judicial efficiency, the Court will accept it at this time.

- 1           7.       Cameron Medical Center Medical Records and Billing (Bates stamped PLF307-  
2       PLF315).
- 3           8.       Las Vegas Radiology Medical Records and Billing (Bates stamped PLF316-  
4       PLF318).
- 5           9.       ATI Physical Therapy Medical Records and Billing (Bates stamped PLF319-  
6       PLF369).
- 7           10.      Advanced Prosthetics and Orthotics Medical Records and Billing (Bates stamped  
8       PLF370-PLF383).
- 9           11.      Desert Radiology Medical Records and Billing (Bates stamped PLF384-  
10      PLF396).
- 11          12.      PrimMed Medical Records and Billing (Bates stamped PLF397-PLF469).
- 12          13.      Professional Anesthesia Medical Records and Billing (Bates stamped PLF470-  
13      PLF475).
- 14          14.      Nevada Orthopedic & Spine Center (Bates stamped 1/2/2020 PLF502-PLF506).
- 15          15.      Intermountain Healthcare Medical Records and Billing (Bates stamped PLF517-  
16      PLF892).
- 17          16.      Desert Radiology Medical Record and Billing (Bates stamped PLF893-PLF895).
- 18          17.      Southwest Medical Associates Medical Records & Billing (Bates stamped  
19      PLF896-PLF1238).
- 20          18.      Walgreens Pharmacy Billing (Bates stamped PLF1239-PLF1254).
- 21          19.      PrimMed Medical Records and Billing (Bates stamped PLF1255-PLF1258).
- 22          20.      CVS Pharmacy Billing (Bates stamped PLF1259-PLF1263).
- 23          21.      Desert Radiology Billing (Bates stamped PLF1272-PLF1273).

24       Plaintiff reserves the right to use any of Defendant's exhibits identified below.

25       Defendant's Proposed Exhibits:

26               Defendant reserves the right to use any of Plaintiff's exhibits identified above.

27       Accordingly, Defendant's Exhibits are as follows:

- 28           1.       Plaintiff's Complaint (Bates stamped ALBS000001 – 4).

- 1           2.       Defendant's Answer to Plaintiff's Complaint (Bates stamped ALBS000005 – 9).
- 2           3.       Incident Report (Bates stamped ALBS000010 – 12).
- 3           4.       Sweep Log (Bates stamped ALBS000013 – 15).
- 4           5.       Non-Privileged Portions of Claim File Notes (Bates stamped ALBS000016 – 61).
- 5           6.       Surveillance Video (sent via ROC).
- 6           7.       Medical and Billing Records Received from Advanced Prosthetics & Orthotics  
7 (Bates stamped ALBS000062-92).
- 8           8.       Medical and Billing Records Received from Cameron Medical Center (Bates  
9 stamped ALBS000093-163).
- 10          9.       Medical and Billing Records Received from Fine Back Center (Bates stamped  
11 ALBS000164-251).
- 12          10.      Medical Records Received from Las Vegas Radiology (Bates stamped  
13 ALBS000252-265).
- 14          11.      Medical and Billing Records Received from PrimMed Pain (Bates stamped  
15 ALBS000266-366).
- 16          12.      Medical and Billing Records Received from Pueblo Medical Imaging (Bates  
17 stamped ALBS000367-378).
- 18          13.      Pharmacy Records Received from Unique Care Pharmacy (Bates stamped  
19 ALBS000379-380).
- 20          14.      Medical and Billing Records Received from UMC Sunset Primary Care (Bates  
21 stamped ALBS000381-424).
- 22          15.      Medical and Billing Records Received from Healthcare Partners of Nevada  
23 (Bates stamped ALBS000425-1002).
- 24          16.      Medical and Billing Records Received from ATI Physical Therapy (Bates  
25 stamped ALBS001003-1089).
- 26          17.      Medical Records Received from Desert Radiology (Bates stamped  
27 ALBS001090-1133).
- 28



- 1           18.     Custodian of Records Received from Desert Radiology for Medical Imaging  
2 (imaging films available upon request) (Bates stamped ALBS001134).
- 3           19.     Sales Floor Inspection Worksheet (Bates stamped ALBS001135-1137)  
4 SUBJECT TO PROTECTIVE ORDER.
- 5           20.     Punching A Proper Sweep (Bates stamped ALBS001138) SUBJECT TO  
6 PROTECTIVE ORDER.
- 7           21.     Courtesy Clerk Cleaning (Bates stamped ALBS001139-1183) SUBJECT TO  
8 PROTECTIVE ORDER.
- 9           22.     Training Manual (Bates stamped ALBS001184-1201) SUBJECT TO  
10 PROTECTIVE ORDER.
- 11          23.     Safety Fundamentals (Bates stamped ALBS001202-1222) SUBJECT TO  
12 PROTECTIVE ORDER.
- 13          24.     Annual Sweep Program Policy and Guidelines (Bates stamped ALBS001223)  
14 SUBJECT TO PROTECTIVE ORDER.
- 15          25.     Insurance Declarations (Bates stamped ALBS001224-1228).
- 16          26.     Billing Records Received from Desert Radiology Solutions (Bates stamped  
17 ALBS001229-1236).
- 18          27.     Medical and Billing Records Received from Henderson Hospital (Bates stamped  
19 ALBS001237-2458).
- 20          28.     Medical and Billing Records Received from Silver Services Team (Bates  
21 stamped ALBS002459-2478).
- 22          29.     Radiology       Received       from       Las       Vegas       Radiology  
23 (Bates stamped ALB002479).
- 24          30.     Additional Medical and Billing Records Received from Silver Team (Bates  
25 stamped ALBS002480-2499).
- 26          31.     Medical and Billing Records Received from Nevada Orthopedics & Spine Center  
27 (Bates stamped ALBS002500-2511).
- 28

- 1           32.     Medical and Billing Records Received from Desert Springs Hospital  
2     (Bates stamped ALBS002512-2803).
- 3           33.     Medical and Billing Records Received from Croveti Orthopaedic & Sports  
4     Medicine (Bates stamped ALBS2804-2806).
- 5           34.     Medical and Billing Records Received from Spring Valley Hospital  
6     (Bates stamped ALBS002807-2880).
- 7           35.     Store Maps (Bates stamped ALBS002881-2882).
- 8           36.     ISO Claimsearch Match Report Summary (Bates stamped ALBS002883-2889).
- 9           37.     Films Received from Croveti Orthopaedic & Sports Medicine (Bates stamped  
10    ALBS002890-2891).
- 11          38.     Pharmacy Records Received from CVS Pharmacy (Bates stamped ALBS002892-  
12    2901).
- 13          39.     Medical and Billing Records Received from Southwest Medical Associates  
14    (Bates stamped ALBS002902-3431).
- 15          40.     Custodian of Records Stating No Films from Cameron Medical Center  
16    (Bates stamped ALBS003432-3436).
- 17          41.     Pharmacy Records Received from Walgreens (Bates stamped ALB003437-  
18    3495).
- 19          42.     Films Received from Desert Springs Hospital (Bates stamped ALBS003496-  
20    3497).
- 21          43.     Medical and Billing Records Received from St. Rose Dominican Hospital-Rose  
22    De Lima (Bates stamped ALBS003498-4526).
- 23          44.     Imaging Received from Desert Springs Hospital for Plaintiff's Abdomen AP  
24    (Bates stamped ALBS004527-4528).
- 25          45.     Imaging Received from Pueblo Medical Imaging (Bates stamped ALBS004529-  
26    4530).
- 27          46.     Imaging Received from Southwest Medical (Bates stamped ALBS004531).
- 28



1 47. Radiology Reports Received from Southwest Medical Associates (Bates stamped  
2 ALBS004532-4548).

3 Depositions:

4 1) Plaintiff's Depositions: Lynnette Burks individually and as FRCP 30(b)(6)  
5 representative of Defendant; percipient witness Nicole Eslinger-Glaser.

6 Defendant's Objections: None.

7 2) Defendant's Depositions: Plaintiff, Eddie F. Lopez; Plaintiff's treating physician  
8 Pouya Mohajer, M.D.

9 Plaintiff's Objections: None.

10 (c) Electronic evidence: The parties intend to present electronic evidence for  
11 purposes of jury deliberations and will consult with the court's instructions regarding preparation  
12 of evidence in electronic format for the court's electronic jury evidence display system.

13 **VIII.**

14 The following witness may be called by the parties upon Trial:

15 Plaintiff's Witnesses:

16 1. Eddie Lopez, Plaintiff, c/o Tyler M. Crawford, Esq., ATKINSON WATKINS &  
17 HOFFMANN, LLP, 10789 W. Twain Ave., Ste. 100, Las Vegas, NV 89135.

18 2. Albertson's LLC, Defendant, c/o Lew Brandon, JR. Esq., BRANDON  
19 SMERBER LAW FIRM 139 East Warm Springs Road, Las Vegas, NV 89119.

20 3. Custodian of Records and/or Person Most Knowledgeable, HEALTH CARE  
21 PARTNERS/INTERMOUNTAIN HEALTHCARE, Thomas Serbousek, MD, Veronica P. Allen,  
22 MD, Ashlyn Call, PA-C, Debora Muller, NP-C, Emily D. Labonte, NP, Ike Michael Ekekwe FNP,  
23 700 E. Warm Springs Rd, Ste 110, Las Vegas, NV 89119.

24 4. Custodian of Records and/or Person Most Knowledgeable, FINE BACK  
25 CENTER, Roberto Ostolaza, DC, 1397 Galleria Drive, Ste 200, Henderson, NV 89014.

26 5. Custodian of Records and/or Person Most Knowledgeable PUEBLO MEDICAL  
27 IMAGING, Joel Lin DO, Michael Sanders MD, Matthew Ripplinger MD, Steven Sogge MD, 100  
28 N. Green Valley Pkwy, Ste 130, Henderson, NV 89074.

1           6.       Custodian of Records and/or Person Most Knowledgeable UNIQUE CARE  
2 PHARMACY, 4571 W. Flamingo Rd., Las Vegas, NV 89103.

3           7.       Custodian of Records and/or Person Most Knowledgeable CAMERON  
4 MEDICAL CENTER, Kathleen Smith, MD, Brooke Lucas, PA-C, MPAS, 4567 W. Flamingo  
5 Rd., Las Vegas, NV 89103.

6           8.       Custodian of Records and/or Person Most Knowledgeable LAS VEGAS  
7 RADIOLOGY, Elizabeth Huck, DO, 3201 S. Maryland Pkwy, Ste 102, Las Vegas, NV 89109.

8           9.       Custodian of Records and/or Person Most Knowledgeable ATI PHYSICAL  
9 THERAPY, Timothy Charleston, PT, Robert Kopecky, PTA, Nicholas Hernaez, PT, Jonah  
10 Larson, PT, 1950 East Desert Inn Road, Las Vegas, NV 89169.

11          10.       Custodian of Records and/or Person Most Knowledgeable ADVANCED  
12 PROSTHETICS AND ORTHOTICS, 7455 W. Washington Ave, Ste 215, Las Vegas, NV 89128.

13          11.       Custodian of Records and/or Person Most Knowledgeable DESERT  
14 RADIOLOGY, Douglas Larson, MD, Paul Bandt, MD, Elan Bomsztyk, MD, David Bass, MD,  
15 Steve Topham, MD, Nicholas Bell, MD, PO BOX 3057, Indianapolis, IN 46206.

16          12.       Custodian of Records and/or Person Most Knowledgeable PRIMMED, Pouya  
17 Mohajer, MD, Garielle Martinez, NP, Franco M. Lee, MD, 2908 Gavilan Ln, Las Vegas, NV  
18 89122.

19          13.       Custodian of Records and/or Person Most Knowledgeable PROFESSIONAL  
20 ANESTHESIA CONSULTANTS, Ovidiu Brescan, MD, P.O. Box 50605, Henderson, NV 89016.

21          14.       Custodian of Records and/or Person Most Knowledgeable NEVADA  
22 ORTHOPEDIC & SPINE CENTER, Mark W. Allen, DO, 7455 W Washington, Ste 160, Las  
23 Vegas, NV. 89128.

24          15.       Custodian of Records and/or Person Most Knowledgeable HENDERSON  
25 HOSPITAL MEDICAL CENTER, 1050 W. Galleria Dr., Henderson, NV 89011.

26          16.       Custodian of Records and/or Person Most Knowledgeable SOUTHWEST  
27 MEDICAL ASSOCIATES, Diana M. Lombardo, NP, James H. Smith, PA-C, Michael C.  
28 Chartrand, MD, 2300 W. Charleston Blvd., Las Vegas, NV 89106.

1           17.     Custodian of Records and/or Person Most Knowledgeable WALGREENS  
2 PHARMACY, P.O. Box 4039, Danville, IL 61834.

3           18.     Custodian of Records and/or Person Most Knowledgeable CVS PHARMACY, 1  
4 CVS Drive, Woonsocket, RI 02895.

5           19.     Plaintiff reserves the right to call rebuttal and impeachment witnesses consistent  
6 with the Federal Rules of Civil Procedure.

7           20.     Plaintiff reserves the right to call any witness listed by Defendant identified  
8 below.

9 Defendant's Witnesses:

10           1.     Plaintiff Eddie Lopez, c/o Matthew W. Hoffmann, Esq. of Atkinson Watkins &  
11 Hoffmann, LLP, 10789 W. Twain Ave., Ste. 100, Las Vegas, Nevada 89135.

12           2.     Defendant's NRCP 30(b)(6) witness, c/o Lew Brandon, Jr., Esq., and Andrew  
13 Guzik, Esq. of BRANDON | SMERBER LAW FIRM, 139 East Warm Springs Road, Las Vegas,  
14 Nevada 89119.

15           3.     Defendant's Employee and Manager, Nicole Eslinger-Glaser, c/o Lew Brandon,  
16 Jr., Esq., and Andrew Guzik, Esq. of BRANDON | SMERBER LAW FIRM, 139 East Warm  
17 Springs Road, Las Vegas, Nevada 89119.

18           4.     Defendant's Employee, Jennifer Quinn, c/o Lew Brandon, Jr., Esq., and Andrew  
19 Guzik, Esq. of BRANDON | SMERBER LAW FIRM, 139 East Warm Springs Road, Las Vegas,  
20 Nevada 89119.

21           5.     Defendant's Employee and Manager, Pam Dooley, c/o Lew Brandon, Jr., Esq.,  
22 and Andrew Guzik, Esq.. of BRANDON | SMERBER LAW FIRM, 139 East Warm Springs  
23 Road, Las Vegas, Nevada 89119.

24           6.     Defendant's Employee, Kevin Martin, c/o Lew Brandon, Jr., Esq., and Andrew  
25 Guzik, Esq. of BRANDON | SMERBER LAW FIRM, 139 East Warm Springs Road, Las Vegas,  
26 Nevada 89119.

27           7.     Defendant Albertsons LLC's Prior Store Director and/or Current Store Director  
28 of the location at 2835 S. Nellis Blvd., Las Vegas, Nevada, 89121, c/o Lew Brandon, Jr., Esq.,

1 and Andrew Guzik, Esq. of BRANDON | SMERBER LAW FIRM, 139 East Warm Springs Road,  
2 Las Vegas, Nevada 89119.

3 8. Custodian of Records and/or Person Most Knowledgeable for Advanced  
4 Prosthetics & Orthotics, 7455 W. Washington Avenue, #215, Las Vegas, Nevada 89128.

5 9. Custodian of Records and/or Person Most Knowledgeable for Cameron Medical  
6 Center, 4567 W. Flamingo Road, Las Vegas, Nevada 89103.

7 10. Custodian of Records and/or Person Most Knowledgeable for Fine Back Center,  
8 4567 W. Flamingo Road, Las Vegas, Nevada 89103.

9 11. Custodian of Records and/or Person Most Knowledgeable for Las Vegas  
10 Radiology, 7500 Smoke Ranch Road, Suite 100, Las Vegas, Nevada 89128.

11 12. Custodian of Records and/or Person Most Knowledgeable for PrimMed Pain,  
12 5741 S. Fort Apache Road, Suite 120, Las Vegas, Nevada 89148.

13 13. Custodian of Records and/or Person Most Knowledgeable for Pueblo Medical  
14 Imaging, 5495 S. Rainbow Boulevard, Suite 101, Las Vegas, Nevada 89118.

15 14. Custodian of Records and/or Person Most Knowledgeable for Unique Care  
16 Pharmacy, 4571 W. Flamingo Road, Las Vegas, Nevada 89103.

17 15. Custodian of Records and/or Person Most Knowledgeable for UMC Sunset  
18 Primary Care, 525 Marks Street, Henderson, Nevada 89014.

19 16. Custodian of Records and/or Person Most Knowledgeable for Healthcare  
20 Partners of Nevada, 770 E. Warm Springs Road, Suite 240, Las Vegas, Nevada 89119.

21 17. Custodian of Records and/or Person Most Knowledgeable for ATI Physical  
22 Therapy, 790 Remington Blvd, Bolingbrook, IL 60440.

23 18. Custodian of Records and/or Person Most Knowledgeable for Desert Radiology,  
24 PO Box 3057, Indianapolis, Indiana 46206.

25 19. Custodian of Records and/or Person Most Knowledgeable for Henderson  
26 Hospital, 1150 West Galleria Blvd, Henderson, Nevada 89014.

27 20. Custodian of Records and/or Person Most Knowledgeable for Silver Team  
28 Services, 4001 Decatur Blvd, Ste 101-37, Las Vegas, Nevada 89103.

21. Custodian of Records and/or Person Most Knowledgeable for Nevada  
Orthopedics & Spine Center, 951 Yamato Road, Ste 290, Boca Raton, Florida 33431.

2 Orthopedics & Spine Center, 951 Yamato Road, Ste 290, Boca Raton, Florida 33431.

22. Custodian of Records and/or Person Most Knowledgeable for Desert Springs  
Hospital, 2075 East Flamingo Road, Las Vegas, Nevada 89106.

4 Hospital, 2075 East Flamingo Road, Las Vegas, Nevada 89106.

23. Custodian of Records and/or Person Most Knowledgeable for Crovetti  
Orthopaedic & Sports Medicine, 2779 West Horizon Ridge, Ste 200, Henderson, Nevada 89052.

6 Orthopaedic & Sports Medicine, 2779 West Horizon Ridge, Ste 200, Henderson, Nevada 89052.

7           24.     Custodian of Records and/or Person Most Knowledgeable for Spring Valley  
8     Hospital, 5400 South Rainbow Blvd, Las Vegas, Nevada 89118.

8 Hospital, 5400 South Rainbow Blvd, Las Vegas, Nevada 89118.

9 25. Custodian of Records and/or Person Most Knowledgeable for CVS Pharmacy, 1  
10 CVS Drive, Woonsocket, Rhode Island 02895.

10 CVS Drive, Woonsocket, Rhode Island 02895.

11 26. Custodian of Records and/or Person Most Knowledgeable for Southwest Medical  
12 Associates, 8655 South Eastern, Las Vegas, Nevada 89123.

12 Associates, 8655 South Eastern, Las Vegas, Nevada 89123.

27. Custodian of Records and/or Person Most Knowledgeable for Walgreens, 1901  
East Voorhees Street, Danville, Illinois 61834.

14 East Voorhees Street, Danville, Illinois 61834.

28. Custodian of Records and/or Person Most Knowledgeable for St. Rose  
Dominican Hospital-Rose De Lima, 102 East Lake Mead Parkway, Henderson, Nevada 89015.

16 || Dominican Hospital-Rose De Lima, 102 East Lake Mead Parkway, Henderson, Nevada 89015.

17           29.       Defendant reserves the right to call any rebuttal witnesses as a result of any  
18 witnesses listed or presented by Plaintiff.

18 witnesses listed or presented by Plaintiff.

## 19 || IX.

20 Counsel have conferred and herewith submit a list of three (3) agreed-upon Trial dates:

21 1) January 16, 2023;

22 2) January 30, 2023; and

23 3) February 13, 2023.

It is expressly understood by the undersigned that the Court will set the Trial of this matter on one (1) of the agreed upon dates, if possible; if not, the Trial will be set at the convenience of the Court's calendar.

26 convenience of the Court's calendar.

27 ||

28

**X.**

It is estimated that the Trial herein will take approximately five (5) full judicial days.

APPROVED AS TO FORM AND CONTENT.

**ATKINSON WATKINS &  
HOFFMANN, LLP**

**BRANDON | SMERBER LAW FIRM**

By: /s/ Tyler Crawford

**MATTHEW W. HOFFMANN, ESQ**

Nevada Bar No. 9061

**TYLER M. CRAWFORD, ESQ.**

Nevada Bar No. 10559

10789 W. Twain Ave., Ste. 100

Las Vegas, Nevada 89135

*Attorneys for Plaintiff*

By: /s/ Lew Brandon, Jr., Esq.

**LEW BRANDON, JR., ESQ.**

Nevada Bar No. 5880

**ANDREW GUZIK, ESQ.**

Nevada Bar No. 12758

139 E. Warm Springs Rd.

Las Vegas, Nevada 89119

*Attorneys for Defendant*

**XI.**

**ACTION BY THE COURT**

This case is set for court/jury trial on the ~~fixed~~/stacked calendar on 1/30/23. Calendar call will be held on 1/12/2023 at 9:30 a.m..

DATED: July 27, 2022

  
UNITED STATES DISTRICT JUDGE *or*

It is hereby ordered that the parties shall meet and confer to identify actual, proposed exhibits, and their list of witnesses, and file that information with the Court by September 27, 2022.

It is further ordered that the Corrected Image [25] Joint Pretrial Order is granted. It is further ordered that the Proposed Joint Pretrial Orders filed at [23] and [24] are denied a moot.



## Maybelline Valle

---

**From:** Tyler Crawford <tcrawford@awhlawyers.com>  
**Sent:** Thursday, July 21, 2022 12:17 PM  
**To:** Andrew Guzik  
**Cc:** Amy Chandler; April Rufus; Maybelline Valle  
**Subject:** RE: Eddie Lopez/ Albertsons

Hi Andrew:

You may attach my e-signature to the proposed order.

Tyler Crawford, Esq.  
*Partner*



10789 W. Twain Avenue  
Suite 100  
Las Vegas, NV 89135  
(702) 562-6000 – office  
(702) 562-6066 – fax



**From:** Andrew Guzik <a.guzik@bsnv.law>  
**Sent:** Thursday, July 21, 2022 9:11 AM  
**To:** Tyler Crawford <tcrawford@awhlawyers.com>  
**Cc:** Amy Chandler <Amy@awhlawyers.com>; April Rufus <a.rufus@bsnv.law>; Maybelline Valle <M.Valle@bsnv.law>  
**Subject:** RE: Eddie Lopez/ Albertsons

Please see the attached revised draft with your changes. Please note the change identified at p. 13 in your email below was made at the end of Plaintiff's list of witnesses, which is located on p. 11 of the document. Please confirm that my office is authorized to affix your electronic signature for filing.

Thanks,

Andrew